IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8349 OF 2005

Sushilaben G. Gundesha .. Petitioner.

V/s.

The Commissioner of Income-tax
and others .. Respondents.

Mr.M.K. Kulkarni for the petitioner.

Mr.A.M. Kotangale for the respondents.

CORAM : H.L. GOKHALE &
J.P. DEVADHAR, JJ.

DATED : 11TH SEPTEMBER, 2006.

P.C. :

1. Heard Mr.Kulkarni in support of this petition. Mr.Kotangale appears for the respondents.

2. The petition has two prayers. The first prayer is to challenge the decision under the Kar Vivad Samadhan Scheme, 1998. That decision was rendered way back on 23rd February, 1999. The second prayer is to challenge the assessment of the petitioner made on 15th February, 1998. As far as that assessment is concerned, the petitioner carried matter upto the Tribunal and the Tribunal has confirmed the assessment on 14th February, 2005.

3. As far as the KVSS decision is concerned, the

petitioner has filed miscellaneous application. Mr.Kulkarni states that the petitioner will pursue that remedy. As far as the assessment is concerned, he makes a further statement that the petitioner, if so advised, may file an appeal under section 260-A of the Income Tax Act, 1961.

4. He, therefore, seeks to withdraw the petition. The petition is dismissed as withdrawn with no order as to costs.

(H.L. GOKHALE, J.)

(J.P. DEVADHAR, J.)